IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No.3015 OF 2007

Vijay Pandharinath Pawar ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr S.A. Dwivedi, Advocate for the Applicant.

Ms S.D. Shinde, APP for the respondent.

CORAM: V.C. DAGA,J.
DATED: 17.9.2007.

P.C.

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused the application and the material available on record.

3. The applicant, arrested in C.R.NoI-56 of 2007 registered with Jaykheda Police Station, for the offence under Sections 302, 498-A, 304-B, 504, 506 of the I.P.C.,and under Sections 3, 4 and 5 of the Dowry Prohibition Act and under Sections 3 and 4 of the Domestic Violence Act is seeking bail under Section 439 of the Cr.P.C.

4. The factual aspect, in the order of the learned Ad-hoc Additional Sessions Judge-2, Malegaon passed in Bail Application No. 305 of 2007 dated 28.7.2007, has described the role of the husband that, he was a silent spectator; when wife was burning.

His silence is sufficient to create strong suspicion about his involvement in commission of crime. The applicant has not suffered any injury. He did not take any steps to extinguish fire. He can very well be connnected with crime at this stage. In the circumstances, no case is made out for grant of bail to the applicant.

5. For the reasons recorded herein as well as for the reasons recorded in the order by the learned Sessions Judge while rejecting bail application, the present application stands rejected.

6. Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

(V.C.DAGA,J)